



# UNITED STATES PATENT AND TRADEMARK OFFICE

AM  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,789	08/29/2001	Nathan Henderson	3COM 3641-1	2943
22470	7590	05/05/2005	EXAMINER	
HAYNES BEFFEL & WOLFELD LLP P O BOX 366 HALF MOON BAY, CA 94019			AMIN, NIRAV S	
			ART UNIT	PAPER NUMBER
			2115	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/942,789	HENDERSON ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Nirav S. Amin	2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 August 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-27 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 29 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/26/2001</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: In figure 1, connector is not labeled. It is referred to as reference number 17 in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The disclosure is objected to because of the following informalities: On page 7, wake on LAN event detector is referenced using number 33, it should be 36 according to figure 1.

Appropriate correction is required.

## ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Hwang et al. (Pub. No.: US 2002/0188875 A1) herein after referred to as Hwang.

As per claim 1, Hwang discloses:

a network interface coupled to the host processor and to a network, the network interface comprising:

a memory that stores data packets in transit between the host processor and the network [Figure 3; Page 2, paragraph 0024];

a medium interface unit coupled to network media supporting at least a high speed protocol and a lower speed protocol [Page 5, paragraph 0078]; and

power management logic which forces the medium interface unit to the lower speed protocol in response to an event signally entry of said lower power mode [Figure 6; Page 5, paragraph 0078].

As per claim 10, Hwang discloses:

forcing the apparatus to execute the lower speed protocol upon transition from the full power mode to the lower power mode using the logic independent of host processes [Figure 6; Page 5, paragraph 0078].

As per claim 19, Hwang discloses:

- a first port that receives data from the host processor [Figure 4, PCI];
- a second port that transmits data to the network [Figure 4, (52)];
- a memory that stores data packets in transit between the host processor and the network [Figure 3; Page 2, paragraph 0024];
- a medium interface unit coupled to network media supporting at least a high speed protocol and a lower speed protocol [Page 5, paragraph 0078]; and
- power management logic on the integrated circuit which forces the medium interface unit to the lower speed protocol in response to an event signally entry to the lower power mode [Figure 6; Page 5, paragraph 0078].

As per claims 2 and 11, Hwang discloses:

- the network interface in said lower power mode consumes less than a specified power when executing said lower speed protocol, and consumes greater than the specified power when executing said high speed protocol [Page 5, paragraph 0078].

As per claims 3 and 12, Hwang discloses:

- the network interface in said lower power mode consumes less than a specified power of about 1.3 Watts, and the network interface requires greater than the specified power to support said high speed protocol [Page 4, paragraph 0053].

As per claims 4 and 13 and 22, Hwang discloses:

the network interface includes logic operating in the lower power mode using the lower speed protocol to detect a pattern in incoming packets, and in response to detection of said pattern, to issue a reset signal to the host processor [Page 5, paragraph 0072].

As per claims 5 and 14 and 23, Hwang discloses:

the medium interface unit comprises circuitry for formatting packets according to protocols compliant with 10 Megabit, 100 Megabit and Gigabit Ethernet protocol standards, and wherein said high speed protocol is Gigabit Ethernet, and said lower speed protocol is one of 10 Megabit Ethernet and 100 megabit Ethernet [Page 2, paragraph 0024; Page 5, paragraph 0078].

As per claims 6 and 15 and 24, Hwang discloses:

the medium interface unit comprises circuitry for formatting packets according to a protocol compliant with an InfiniBand protocol standard, and wherein said high speed protocol is InfiniBand [Page 3, paragraph 0024].

As per claim 9, Hwang discloses:

host processor includes a system bus coupled to the network interface, said system bus having a full power mode, a lower power mode, and a power down mode,

Art Unit: 2115

and said event signaling lower power mode comprises a loss of power on the system bus [Page 5, paragraph 0073].

As per claim 27, Hwang discloses:

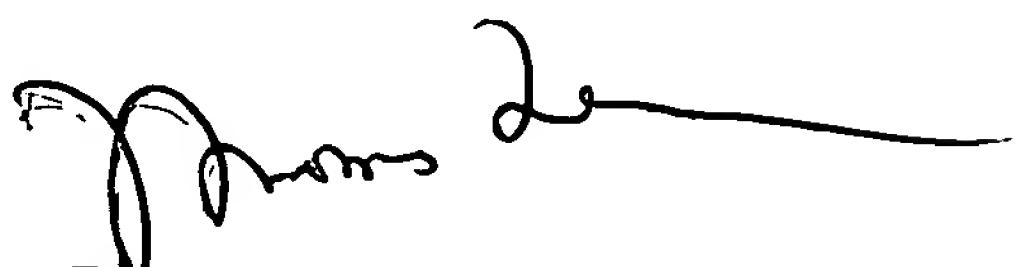
integrated circuit includes power detection circuit adapted for connection to a system power supply, and said event signaling entry into the lower power mode comprises a loss of power from the system power supply [Page 5, paragraph 0075].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav S. Amin whose telephone number is (571) 272-3821. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NA

  
Thomas Lee  
SUPERVISORY PATENT  
TECHNOLOGY CENTER 2600